IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.98 OF 2005
IN
LETTERS PATENT APPEAL NO.254 OF 1995
IN
WRIT PETITION NO.2784 OF 1990

Vaman Narayan Bhave ....Applicant
V/s.
Smt.Trupti D. Gavade & Ors. ....Respondents

None for the Applicant.
None for the Respondents.

CORAM : R.M. LODHA, &
S.J. VAZIFDAR, JJ.
DATED : 14TH JULY, 2006.

P.C. :

None appears for the parties. On 18.8.2004, the Division Bench dismissed the appeal as abated. It was also noticed by the Division Bench that the subject matter of the appeal was similar to the subject matter of L.P.A. No.248 of 1995 which has been disposed of by a separate judgment.

2. Now by this civil application, the applicant prays for bringing on record the heirs of the original respondent. We are afraid that without a prayer for setting aside abatement, the application for bringing legal heirs of the respondent is wholly misconceived and untenable in law. The civil application is dismissed.

(R.M. LODHA, J.)

(S.J. VAZIFDAR, J.)